

# MANDATE

S.D.N.Y. – N.Y.C.  
1:20-cr-233-1  
Keenan, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 12<sup>th</sup> day of October, two thousand twenty-one.

Present:

Pierre N. Leval,  
Robert D. Sack,  
Michael H. Park,  
*Circuit Judges.*

USDC SDNY  
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United States of America,

*Appellee,*

v.

20-3223

Milesh Talreja, AKA Sealed Defendant 1,

*Defendant-Appellant.*

The Government moves to dismiss Appellant's appeal based on the fugitive disentitlement doctrine. After being granted three extensions, Appellant has not responded to the Government's motion.

Upon due consideration, it is hereby ORDERED that the motion is GRANTED and the appeal is DISMISSED with prejudice. Appellant fled before sentencing, remains at large during his appeal, and has indicated that he does not intend to return to the United States. *See Ortega-Rodriguez v. United States*, 507 U.S. 234, 239 (1993) ("[A]n appellate court may dismiss the appeal of a defendant who is a fugitive from justice during the pendency of his appeal."). Our dismissal ensures that Appellant will not benefit from "flouting the judicial process" and deters others from similar flights from justice. *See United States v. Awadalla*, 357 F.3d 243, 245 (2d Cir. 2004). Further, dismissal with prejudice is appropriate to ensure that the severity of this sanction is not diluted. *See id.* at 250.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

*Catherine O'Hagan Wolfe*

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

*Catherine O'Hagan Wolfe*

MANDATE ISSUED ON 11/03/2021